

ture of more than 4,000 acre-feet of total capacity.

§ 31. Committee on Appropriations

Created in 1865 out of jurisdiction formerly accorded the Committee on Ways and Means,⁽¹⁴⁾ the Committee on Appropriations has been concerned traditionally with the “appropriation of the revenue for the support of the Government.”⁽¹⁾ Today, the committee has plenary jurisdiction over all appropriation bills for the various departments and agencies of government. Historically, the committee’s jurisdiction has undergone periodic transformation as various committees had at certain times jurisdiction over particular appropriation bills.⁽²⁾

The largest standing committee in the House, with 55 members in 1973, the Committee on Appropriations possesses 13 subcommittees. The latter vary in size from eight to 12 members and consist of:

1. The Subcommittee on Agriculture-Environmental and Consumer Protection;

14. 4 Hinds’ Precedents § 4032.

1. This language was used in the 1865 rule as well as the 1880 revision. In 1865, however, more detail followed the general description. See 4 Hinds’ Precedents § 4032.
2. *Id.* at § 4032.

2. The Subcommittee on Defense;
3. The Subcommittee on the District of Columbia;
4. The Subcommittee on Foreign Operations;
5. The Subcommittee on Housing and Urban Development-Space-Science- Veterans [Matters];
6. The Subcommittee on the Interior;
7. The Subcommittee on Labor-Health, Education and Welfare;
8. The Subcommittee on Legislative [Matters];
9. The Subcommittee on Military Construction;
10. The Subcommittee on Public Works-Atomic Energy Commission;
11. The Subcommittee on State, Justice, Commerce and the Judiciary;
12. The Subcommittee on Transportation;
13. The Subcommittee on Treasury-Postal Service-General Government.

In addition to its jurisdiction over “appropriation of the revenue for the support of the Government,”⁽³⁾ the committee under the 1973 rules,⁽⁴⁾ was expressly authorized whether “acting as a whole or by any subcommittee . . . to conduct studies and examinations of the organization and operation of any executive department or other executive agency.” Each subcommittee was assigned jurisdiction over specific agencies,

3. Rule XI clause 2(a), *House Rules and Manual* § 679 (1973).
4. Rule XI clause 2(b), *House Rules and Manual* § 679 (1973).

commissions, councils, and departments by the main committee. The list which follows⁽⁵⁾ groups the specific agencies or departments which fell under the jurisdiction of each subcommittee in 1973 [enumeration added]:

AGRICULTURE-ENVIRONMENTAL AND
CONSUMER PROTECTION SUB-
COMMITTEE

- (1) Department of Agriculture (*except* Forest Service).
- (2) Consumer Information Center (GSA).
- (3) Consumer Product Safety Commission.
- (4) Council on Environmental Quality and Office of Environmental Quality.
- (5) Environmental Financing Authority (Treasury).
- (6) Environmental Protection Agency.
- (7) Farm Credit Administration.
- (8) Federal Trade Commission.
- (9) Food and Drug Administration (HEW).
- (10) Grants for Basic Water@Sewer Facilities (HUD).
- (11) National Commission on Materials Policy.

5. This list, reproduced in its entirety, was compiled by Robert C. Ketcham for the Select Committee on Committees. See "Monographs on the Committees of the House of Representatives" (93d Cong. 2d Sess., Dec. 13, 1974), committee print, pp. 21-24.

Many of these agencies or departments have been transferred to other subcommittees since 1973 (see later editions of this work).

(12) National Industrial Pollution Control Council (Commerce).

(13) National Study Commission on Water Quality Management.

DEFENSE SUBCOMMITTEE

- (1) Department of Defense—Military:
 - Department of Army.
 - Department of Navy (including Marine Corps).
 - Department of Air Force.
 - Office of Secretary of Defense.

Except: Military Construction, Military Assistance, and Civil Defense.

DISTRICT OF COLUMBIA
SUBCOMMITTEE

- (1) District of Columbia.

FOREIGN OPERATIONS
SUBCOMMITTEE

- (1) Agency for International Development.
- (2) Action (international programs Peace Corps).
- (3) Asian Development Bank.
- (4) Cuban Refugee Program (HEW).
- (5) Export-Import Bank.
- (6) Foreign Military Credit Sales.
- (7) Inter-American Development Bank.
- (8) Inter-American Foundation;
- (9) International Bank for Reconstruction and Development (World Bank).
- (10) International Development Association.
- (11) International Monetary Fund.
- (12) Migration and Refugee Assistance (State).
- (13) Military Assistance Program.
- (14) Overseas Private Investment Corporation.

HUD-SPACE-SCIENCE-VETERANS
SUBCOMMITTEE

- (1) Department of Housing and Urban Development (except grants for basic water and sewer facilities).
- (2) Federal Communications Commission.
- (3) Federal Home Loan Bank Board.
- (4) National Aeronautics and Space Administration.
- (5) National Aeronautics and Space Council.
- (6) National Science Foundation.
- (7) Office of Science and Technology.
- (8) Renegotiation Board.
- (9) Securities and Exchange Commission.
- (10) Selective Service System.
- (11) Veterans' Administration.

INTERIOR SUBCOMMITTEE

- (1) Department of the Interior.
Except: Alaska Power Administration, Bonneville Power Administration, Bureau of Reclamation, Southeastern Power Administration, Southwestern Power Administration, and Underground Electric Power Transmission Research.

Related Agencies:

- American Revolution Bicentennial Commission.
- Commission of Fine Arts.
- Federal Metal and Nonmetallic Mine Safety Board of Review.
- Forest Service (USDA).
- Franklin Delano Roosevelt Memorial Commission.
- Indian Claims Commission.
- Indian Education Activities (HEW).
- Indian Health Activities (HEW).
- Joint Federal-State Land Use Planning Commission for Alaska.

- National Capital Planning Commission.
- National Council on Indian Opportunity.
- National Foundation on the Arts and the Humanities.
- Pennsylvania Avenue Development Corporation.
- Smithsonian Institution.
- National Gallery of Art.
- Woodrow Wilson International Center for Scholars.
- Youth Conservation Corps (Forest Service).

LABOR-HEALTH, EDUCATION, AND
WELFARE SUBCOMMITTEE

- (1) Department of Health, Education, and Welfare.

Except: Cuban refugee program, Emergency health activities, Food and Drug Administration, Indian educational activities, Indian health and construction activities, and Office of Consumer Affairs.

- (2) Department of Labor.

Related Agencies:

- Action (domestic programs).
- Cabinet Committee on Opportunities for Spanish-Speaking People.
- Commission on Railroad Retirement.
- Corporation for Public Broadcasting.
- Federal Mediation and Conciliation Service.
- National Commission on Libraries and Information Science.
- National Commission on Marijuana and Drug Abuse.
- National Commission on the Financing of Postsecondary Education.
- National Labor Relations Board.
- National Mediation Board.
- Occupational Safety and Health Review Commission.
- Office of Economic Opportunity.

- Railroad Retirement Board.
- United States Soldiers' and Airmen's Home.

LEGISLATIVE SUBCOMMITTEE

- (1) House of Representatives.
- (2) Joint Items.
- (3) Architect of the Capitol (except Senate items).
- (4) Botanic Garden.
- (5) Cost-Accounting Standards Board.
- (6) General Accounting Office.
- (7) Government Printing Office.
- (8) Library of Congress.

MILITARY CONSTRUCTION
SUBCOMMITTEE

- (1) Military Construction in the Army.
- (2) Military Construction in the Navy (including Marine Corps).
- (3) Military Construction in the Air Force.
- (4) Military Construction in Defense Agencies.
- (5) Military Construction for Reserve Forces.
- (6) Homeowners Assistance Fund.
- (7) Military Family Housing.

PUBLIC WORKS-AEC SUBCOMMITTEE

- (1) Atomic Energy Commission.
- (2) Department of Defense—Civil.

Department of the Army:
Cemeterial Expenses, Corps of Engineers—Civil.

- (3) Department of the Interior:

- Alaska Power Administration.
- Bonneville Power Administration.
- Bureau of Reclamation.
- Office of the Secretary: Underground Electric Power Transmission Research.

- Southeastern Power Administration.
- Southwestern Power Administration.

Related Agencies:

- Appalachian Regional Commission.
- Appalachian Regional Development Programs.
- Delaware River Basin Commission.
- Federal Power Commission.
- Interstate Commission on the Potomac River Basin.
- National Water Commission.
- Susquehanna River Basin Commission.
- Tennessee Valley Authority.
- Water Resources Council.

STATE, JUSTICE, COMMERCE, AND
JUDICIARY SUBCOMMITTEE

- (1) Department of Commerce (*except* NIPCC).
- (2) Department of Justice.
- (3) Department of State (*except* Migration & Refugee Assistance).
- (4) The Judiciary.

Related Agencies:

- American Battle Monuments Commission.
- Arms Control and Disarmament Agency.
- Commission on American Shipbuilding.
- Commission on Civil Rights.
- Commission on the Organization of the Government for the Conduct of Foreign Policy.
- Equal Employment Opportunity Commission.
- Federal Maritime Commission.
- Foreign Claims Settlement Commission.
- International Radio Broadcasting.
- Marine Mammal Commissions.
- National Commission for the Review of Federal and State Laws

- Relating to Wiretapping and Electronic Surveillance.
- Small Business Administration.
- Special Representative for Trade Negotiations.
- Subversive Activities Control Board.
- Tariff Commission.
- U.S. Information Agency.

TRANSPORTATION SUBCOMMITTEE

(1) Department of Transportation.

Related Agencies:

- Aviation Advisory Commission.
- Civil Aeronautics Board.
- Commission on Highway Beautification.
- Interstate Commerce Commission.
- National Transportation Safety Board.
- Panama Canal.
- Washington Metropolitan Area Transit Authority.

TREASURY-POSTAL SERVICE-GENERAL GOVERNMENT SUBCOMMITTEE

- (1) Treasury Department.
- (2) United States Postal Service.
- (3) Executive Office of the President:
 - Compensation of the President.
 - Council of Economic Advisers.
 - Council on International Economic Policy.
 - Domestic Council.
 - Executive Residence.
 - National Commission on Productivity.

Rule X clause 1(b) [*House Rules and Manual* §671(a) (1979)] sets forth the jurisdiction of the Committee on Appropriations as follows:

- (1) Appropriation of the revenue for the support of the government.

(2) Rescissions of appropriations contained in appropriation acts.

(3) Transfers of unexpended balances.

(4) The amount of new spending authority (as described in the Congressional Budget Act of 1974) which is to be effective for a fiscal year, including bills and resolutions (reported by other committees) which provide new spending authority and are referred to the committee under clause 4(a).

. . . In addition to its jurisdiction under the preceding provisions of this paragraph, the committee shall have the fiscal oversight function provided for in clause 2(b)(3) and the budget hearing function provided for in clause 4(a).

Following a period during which certain appropriation bills were distributed to other committees, the Committee on Appropriations was again given jurisdiction over all appropriations by an amendment to the rules adopted June 1, 1920.⁽⁶⁾ Effective July 12, 1974, special Presidential messages on rescissions and deferrals of budget authority submitted pursuant to sections 1012 and 1013 of the Impoundment Control Act of 1974 (88 Stat. 332 et seq.), as well as rescission bills and impoundment resolutions defined in section 1011 and required in section 1017 to be referred to the appropriate committee, are referred to the Committee on Appropriations if the

⁶. See 7 Cannon's Precedents §1741.

proposed rescissions or deferrals involve funds already appropriated or obligated. Also effective July 12, 1974, in the Congressional Budget Act of 1974 [88 Stat. 320, § 404(a)] as perfected by House Resolution 988, 93d Congress, the committee was given jurisdiction over rescissions of appropriations (paragraph 2), transfers of unexpended balances (paragraph 3), and the amount of new spending authority to be effective for a fiscal year (paragraph 4) including measures reported by other committees which exceed the appropriate allocation of new budget authority contained in the most recently agreed to concurrent resolution on the budget for such fiscal year as provided in clause 4(a)(2) of Rule X (H. Res. 988, 93d Congress). The authority to conduct studies and examinations of the organization and operation of executive departments and agencies was made part of the standing rules on Jan. 3, 1953, and is now listed as a general oversight responsibility of the committee in clause 2(b)(3) of Rule X. The committee is also authorized and directed to hold hearings on the budget as a whole in open session within 30 days of its submission [clause 4(a)(1)(A) of Rule X], and to study on a continuing basis provisions of law

providing spending authority or permanent budget authority and to report to the House recommendations for terminating or modifying such provisions [Rule X clause 4(a)(3)]. In addition, clause 2(l)(1)(C) of Rule XI requires the committee to submit a summary report comparing its recommendations in all regular appropriation bills with the appropriate levels of budget outlays and authority contained in the most recently agreed to concurrent resolution on the budget for that year. The requirement of section 139 of the Legislative Reorganization Act of 1946 (60 Stat. 812) that the Committees on Appropriations of the House and Senate develop a standard appropriation classification schedule has been superseded by section 202(a) of the Legislative Reorganization Act of 1970 (84 Stat. 1167) which now imposes that responsibility upon the Secretary of the Treasury and the Office of Management and Budget. The further requirement of section 139 that the Appropriations Committees study existing permanent appropriations and recommend which, if any, should be discontinued has been made the responsibility of all standing committees of the House by clause 4(f)(1), (2), Rule X, section 253 of the Legislative Reorganization Act of 1970 (84 Stat. 1175).

The House rules in 1973 contained a specific conferral of sub-

pena authority [see Rule XI clause 2, *House Rules and Manual* §679 (1973)]. This conferral of authority was superseded by the Committee Reform Amendments of 1974. Rule XI clause 2(m) [*House Rules and Manual* §718 (1979)] contains a general conferral of subpoena authority on all committees.

The principal task of the Committee on Appropriations is its comprehensive review of the federal budget⁽⁷⁾—a process oriented toward funding requirements and spending levels as opposed to explicit statements of any policy implications or legislative concepts. The latter are matters within the purview of the standing committees which authorize the particular appropriations. Accordingly, the rules prohibit any legislation on general appropriation bills as well as the making of any unauthorized appropriations in general bills.

In 1973, this joint prohibition was contained within Rule XXI, which read,⁽⁸⁾ as follows:

No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously author-

ized by law, unless in continuation of appropriations for such public works and objects as are already in progress. Nor shall any provision in any such bill or amendment thereto changing existing law be in order, except such as being germane to the subject matter of the bill shall retrench expenditures by the reduction of the number and salary of the officers of the United States, by the reduction of the compensation of any person paid out of the Treasury of the United States, or by the reduction of amounts of money covered by the bill: *Provided*, That it shall be in order further to amend such bill upon the report of the committee or any joint commission authorized by law or the House Members of any such commission having jurisdiction of the subject matter of such amendment, which amendment being germane to the subject matter of the bill shall retrench expenditures.

While the reporting in general appropriation bills of appropriations unauthorized by law is expressly forbidden, exceptions are granted “in continuation of appropriations for such public works and objects as are already in progress.” Interpretation of this language by precedent has clarified the committee’s jurisdictional authority.⁽⁹⁾ Thus, a public work which is continued “must not be so conditioned in relation to place as to become a new work.”⁽¹⁰⁾ An

7. See Ch. 13 (Powers and Prerogatives of the House) §21 (Congressional Budget Act), *supra*.

8. Rule XXI clause 2, *House Rules and Manual* §834 (1973).

9. For more details see Ch. 26, Unauthorized Appropriations; Legislation on Appropriation Bills, *infra*.

10. *House Rules and Manual* §839 (1979).

appropriation for site selection of a public building is not the equivalent of a public work in progress.”⁽¹¹⁾ A general system of roads on which some work has been done cannot be admitted as a work in progress.⁽¹²⁾ Conversely, the continuation of such works as a topographical survey, a geological map, the marking of a boundary line, and the recoinage of coins in the Treasury⁽¹³⁾ are deemed, by precedent, to constitute the continuation of works in progress.

The prohibition against any provision in “[an appropriation] bill or amendment thereto changing existing law” is construed to mean the enactment of law where none exists⁽¹⁴⁾ or a proposition for the repeal of existing law.⁽¹⁵⁾ The committee may not report a bill with a provision construing existing law since such a proposition, itself, constitutes legislation.⁽¹⁶⁾ Propositions establishing affirma-

tive directions for executive officers are also outside the committee’s jurisdiction as is the making or changing of cost limitations involving public works. Limitations on the use of funds, however, are not forbidden—the theory being that since the House may decline to appropriate for a purpose authorized by law, so it may prohibit the use of the money for part of the purpose while appropriating for the remainder of it.⁽¹⁾

In addition to works in progress, the other exception to Rule XXI, clause 2 prohibitions affecting appropriations measures in the “Holman rule.” The latter consists of the language commencing with the second sentence of clause 2 (i.e., Rule XXI clause 2, *House Rules and Manual* §834 [1979]) and pertains to the permissibility of germane amendments notwithstanding their legislative effect so long as the amendments “shall retrench [i.e., reduce]” expenditures from the U.S. Treasury.⁽²⁾ It should be noted, however, that any appropriations

11. *House Rules and Manual* §839 (1979).

12. *House Rules and Manual* §839 (1979).

13. *House Rules and Manual* §840 (1979).

14. *House Rules and Manual* §842 (1979).

15. *House Rules and Manual* §842 (1979).

16. *House Rules and Manual* §842 (1979).

1. *House Rules and Manual* §843 (1979).

2. The Holman rule also permits the offering of further germane amendments retrenching expenditures when offered by a committee or commission (authorized by law or by the House) to have jurisdiction over the subject matter of such amendment.

measure or amendment thereto which is purported to fall within the Holman rule must reduce expenditures on its face;⁽³⁾ the mere probability of a reduction in expenditures is insufficient to meet this obligatory criterion.⁽⁴⁾

The jurisdiction of the Committee on Appropriations is further affected by another restriction contained within the House rules⁽⁵⁾ pertaining to general appropriation measures. To wit:

No general appropriation bill or amendment thereto shall be received or considered if it contains a provision reappropriating unexpended balances of appropriations; except that this provision shall not apply to appropriations in continuation of appropriations for public works on which work has commenced.

The foregoing rule notwithstanding, where the reappropriation language is identical to the language of a legislative authorization enacted subsequent to the adoption of the rule,⁽⁶⁾ the latter

yields to the more recently expressed will of the House evinced by the law.⁽⁷⁾

As the precedents reveal, the Committee on Appropriations has reported measures containing legislation which did not fall within the exceptions specified in the rules. Such instances occur where the measure is not a general appropriation bill⁽⁸⁾ or where an express waiver is granted by the House.⁽⁹⁾

The investigative jurisdiction of the Committee on Appropriations overlaps with the jurisdiction of the Committee on Government Operations and with the jurisdiction of the Committee on Ways and Means. The rules⁽¹⁰⁾ charge the Committee on Government Operations with the duty of "studying the operation of Government activities at all levels with a view to determining its economy and efficiency." Although this would seem to conflict with the oversight responsibilities of the Committee on Appropriations, no

automatically govern the next. Each Congress adopts its own rules.

3. *House Rules and Manual* §844 (1979).

4. Thus, even a provision reducing the number and salary of certain officers of the United States does not necessarily comport with the Holman rule; see 7 Cannon's Precedents §1500.

5. Rule XXI clause 6, *House Rules and Manual* §847 (1979).

6. The reader should bear in mind that the rules of one Congress do not

7. 107 CONG. REC. 18133, 87th Cong. 1st Sess., Sept. 5, 1961.

8. See §31.8, *infra*.

9. See §§31.1, 31.3, *infra*.

10. Rule XI clause 8, *House Rules and Manual* §691 (1973). See also Rule X clause 1(i), *House Rules and Manual* §678 (1979).

significant jurisdictional conflict has resulted. The jurisdiction of the Committee on Ways and Means, however, extends to major entitlement spending authorities resulting in significant impacts on the budget.

This impact on the budget is derived from certain permanent spending authorities which fall within the jurisdiction of the Committee on Ways and Means such as social security, medicare, interest on the national debt, general revenue sharing (after 1974, within jurisdiction of Committee on Government Operations), public assistance grants, and other social services and benefits.⁽¹¹⁾ It has been estimated that in light of such permanent spending authorities, in 1973, the Committee on Appropriations "has effective control over only about 44 percent of net budget authority."⁽¹²⁾ The Committee on Appropriations must, however, recommend appropriations of funds to finance entitlement spending programs within the jurisdiction of other committees.

As a final note, it should be borne in mind that the commit-

tee's jurisdictional control over appropriations sometimes had been eroded by the historical growth of so-called "back door" appropriations. Programs of such magnitude as revenue sharing, highway trust funds, public works projects, and mass transit have come "through the 'back door.'"⁽¹³⁾ Four types of "back door" funding mechanisms have been defined, as follows:

(1) Borrowing authority—the authority to obligate and spend from funds obtained by borrowing from the general public by either the Secretary of the Treasury or by a federal agency or corporation.

(2) Contract authority—the requirement of subsequent action in appropriations bills to liquidate a contractual obligation that the Executive Department has made under its authority to enter into contracts.

(3) Permanent appropriations—those which provide for specific amounts of time in a definite or indefinite amount (i.e., interest on the public debt, revenue sharing).

(4) Mandatory entitlements—instances in which the Federal Government is obligated to pay benefits established by law.

Parliamentarian's Note: The common element in each of these funding mechanisms was the inability of the Committee on Appropriations to limit in advance of the obligation being incurred the amount of the obligation.⁽¹⁴⁾

11. Robert C. Ketcham, "Monographs on the Committees of the House of Representatives" (93d Cong. 2d Sess., Dec. 13, 1974), committee print, p. 12.

12. *Id.*

13. *Id.* at p. 14.

14. *Note:* Under the Congressional Budget Act of 1974 [88 Stat. 297, 31 USC

Effective on July 12, 1974, the Congressional Budget Act of 1974 granted to the Committee on Appropriations jurisdiction over rescissions of appropriations contained in appropriations acts, over the amount of new spending (contract and indebtedness) authority to be effective for a fiscal year, and over bills and resolutions reported from other committees, providing new spending (entitlement) authority in excess of that allocated to the reporting committee in connection with the most recently agreed—to concurrent resolution on the budget for the fiscal year in question.⁽¹⁵⁾

Effective Jan. 3, 1975, the Committee Reform Amendments of 1974 included within the jurisdic-

tion of the Committee on Appropriations transfers of unexpended balances,⁽¹⁶⁾ and included within Rule X clause 4(a)(2), the requirement under the Budget Act that certain bills and resolutions reported from other committees be referred to the Committee on Appropriations for not to exceed 15 legislative days.⁽¹⁷⁾ Thus in the 94th Congress, the jurisdiction of the committee read as follows:

(b) Committee on Appropriations.

(1) Appropriation of the revenue for the support of the Government.

(2) Rescissions of appropriations contained in appropriation Acts.

(3) Transfers of unexpended balances.

(4) The amount of new spending authority (as described in the Congressional Budget Act of 1974) which is to be effective for a fiscal year, including bills and resolutions (reported by other committees) which provide new spending authority and are referred to the committee under clause 4(a).

The committee shall include separate headings for "Rescissions" and "Transfers of Unexpended Balances" in any bill or resolution as reported from the committee under its jurisdiction specified in subparagraph (2) or (3), with all proposed rescissions and proposed transfers listed therein; and shall include a separate section with respect to such rescissions or transfers in the accompanying committee report.

§§1302–1353], certain types of borrowing (§401(a)), contract (§401(a)), and entitlement authority (§401(b)) may not be included in legislation, unless limited by amounts in advance in appropriations acts, and points of order may be raised against the bills pursuant to the Budget Act provisions. Thus, an enforcement mechanism against backdoor spending has emerged. See *House Rules and Manual* §1008 (1979).

15. Pub. L. No. 93–344, §404(a). See §401(b)(2) of Pub. L. No. 93–344 for the requirement that certain entitlement bills be referred to the Committee on Appropriations, and for the authority of the committee over such measures.

16. H. Res. 988, §301, 120 CONG. REC. 34447–70, Oct. 8, 1974.

17. H. Res. 988, §101.

In addition to its jurisdiction under the preceding provisions of this paragraph, the committee shall have the fiscal oversight function provided for in clause 2(b)(3) and the budget hearing function provided for in clause 4(a).

Parliamentarian's Note: The language "transfers of unexpended balances" refers to transfers of appropriations within the confines of the same bill, which are normally considered in order on a general appropriation bill. These should be distinguished from reappropriations of unexpended, or lapsed, balances, which are prohibited by Rule XXI clause 6, *House Rules and Manual* §847 (1979). Under the latter rule, a provision in an appropriation bill permitting an appropriation previously made (in another act) to be used for a new purpose is not in order.

Express House Authorization to Incorporate Specific Legislation in Any General or Special Appropriation Measure

§ 31.1 The Committee on Appropriations has been authorized by resolution to investigate allegations that certain federal employees were unfit to continue in that employment by reason of association with subversive groups and to incor-

porate legislation approved by the committee emanating from the same resolution in any general or special appropriation measure or to be offered as a committee amendment to such measure notwithstanding the rules.

On Feb. 9, 1943,⁽¹⁸⁾ Mr. Adolph J. Sabath, of Illinois, submitted a privileged resolution (H. Res. 105), reported from the Committee on Rules, which he sent to the desk and called up for immediate consideration.

The Clerk read the resolution as follows:

Resolved, That the Committee on Appropriations, acting through a special subcommittee thereof appointed by the chairman of such committee for the purposes of this resolution, is authorized and directed to examine into any and all allegations or charges that certain persons in the employ of the several executive departments and other executive agencies are unfit to continue in such employment by reason of their present association or membership or past association or membership in or with organizations whose aims or purposes are or have been subversive to the Government of the United States. Such examination shall be pursued with the view of obtaining all available evidence bearing upon each particular case and reporting to the House the conclusions of the committee

18. 89 CONG. REC. 734, 78th Cong. 1st Sess.

with respect to each such case in the light of the factual evidence obtained. The committee, for the purposes of this resolution, shall have the right to report at any time by bill, amendment, or otherwise, its findings and determination. Any legislation approved by the committee as a result of this resolution may be incorporated in any general or special appropriation measure emanating from such committee or may be offered as a committee amendment to any such measure notwithstanding the provisions of clause 2 of rule XXI.

For the purposes of this resolution, such committee or any subcommittee thereof is hereby authorized to sit and act during the present Congress at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses, and the production of such books or papers or documents or vouchers by subpoena or otherwise, and to take such testimony and records as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or subcommittee, or by any person designated by him, and shall be served by such person or persons as the chairman of the committee or subcommittee may designate. The chairman of the committee or subcommittee, or any member thereof, may administer oaths to witnesses.

With the following committee amendment:

Page 2, line 4, after the period, strike out all of the language following up to the period in line 6.

Immediately thereafter, Speaker Sam Rayburn, of Texas, put the

question on whether the House would consider the resolution, since the resolution had been called up the same day as reported from the Committee on Rules. Two-thirds of the House having voted in favor thereof in the Chair's estimation, the matter was entertained, and debate ensued. At the conclusion of the debate, none of it touching upon the aforementioned exception to Rule XXI, the resolution, with the committee amendment, was agreed to.⁽¹⁹⁾

General Appropriation Bills With Senate Amendments

§ 31.2 General appropriation bills with Senate amendments thereto may be referred to the Committee on Appropriations.

On July 2, 1945,⁽¹⁾ Speaker Sam Rayburn, of Texas, announced that he had referred H.R. 3368, the "war agencies bill" with Senate amendments thereto, to the Committee on Appropriations pursuant to his discretionary authority under Rule XXIV clause 2, seldom exercised, to refer Senate amendments to any House-passed bill to the appropriate committee.⁽²⁾

19. *Id.* at p. 742.

1. CONG. REC. 7142, 79th Cong. 1st Sess.

2. H.R. 3368 was reported by the Committee on Appropriations on July 11, 1945 (H. Rept. No. 880).

Legislation in Appropriation Bills

§ 31.3 The Chairman of the Committee on Appropriations has addressed himself to the use of resolutions reported by the Committee on Rules and adopted by the House, waiving points of order against noncontroversial legislation in appropriation bills.

On Mar. 23, 1945,⁽³⁾ the House entertained consideration of a resolution (H. Res. 194), reported from the Committee on Rules which called for the waiver of points of order against legislative provisions in an agricultural appropriations bill (H.R. 2689).⁽⁴⁾

In the course of that consideration, Speaker Sam Rayburn, of Texas, recognized⁽⁵⁾ Clarence Cannon, of Missouri, Chairman of the Committee on Appropriations, who elaborated, in part, on the practice of his committee with respect to requesting such resolutions.

Said Mr. Cannon:⁽⁶⁾ May I again allude to the long-established policy of

3. 91 CONG. REC. 2668, 79th Cong. 1st Sess.
4. For discussion of this subject in general, see Ch. 26, Legislation in Appropriation Bills, *infra*.
5. 91 CONG. REC. 2671, 79th Cong. 1st Sess.
6. *Id.* at p. 2672.

the committee, which the members of the committee have so frequently emphasized from the well of this House, under which the Committee on Appropriations does not include new or controversial legislation in its bills. Our bills are uniformly clean of any new legislation, any major legislation. We include only those provisions which have been carried in the bills for many years by both parties, or of an emergency nature, on which there is general agreement. In this instance, the great Committee on Agriculture, which has jurisdiction, approved the bill and the Committee on Rules approved it; otherwise we would not have reported it to the House.

§ 31.4 The Chairman of the Committee on Appropriations gave notice to the executive departments and the legislative committees that in the next session of Congress nothing would be included in any appropriation bill which was not specifically authorized by law regardless of custom or urgency.

On Mar. 23, 1945,⁽⁷⁾ as the House considered a resolution (H. Res. 194), waiving points of order against legislative provisions in an upcoming appropriations bill (H.R. 2689),⁽⁸⁾ Speaker Sam Ray-

7. 91 CONG. REC. 2671, 79th Cong. 1st Sess.
8. For further discussion of this subject, see Ch. 26, Legislation in Appropriation Bills, *infra*.

burn, of Texas, recognized Clarence Cannon, of Missouri, Chairman of the Committee on Appropriations, who made the following remarks, among others: ⁽⁹⁾

. . . I would like to take advantage of the opportunity to add as an individual member of the committee that in view of the fact that points of order have been so persistently raised on this bill that the Committee on Appropriations should in the future, notwithstanding the needs of the departments in the transaction of their routine business, be like Caesar's wife: innocent of even the implication of any infringement upon any rule or practice of the House. I should like to give notice to the departments, to the legislative committees of the House and to all concerned that in the next session nothing will be included in any appropriation bill, however customary or however urgent, that is not specifically authorized by law. I trust this notice is in ample time to permit any department to make application to legislative committees having jurisdiction, and in time for such committees to report such authorization, if they so desire.

Monthly Budget Summary

§ 31.5 The Committee on Appropriations has been authorized to insert in the Congressional Record a summary of national budget receipts and expenditures each month of a session.

9. 91 CONG. REC. 2672, 79th Cong. 1st Sess.

On Mar. 11, 1963,⁽¹⁰⁾ Mr. Clarence Cannon, of Missouri, initiated the following exchange with the Speaker:

Mr. Speaker, the Committee on Appropriations each month makes a concise summary of current budget results in relation to the previous year and the current budget estimates.

For the information of Members and others who may find it of interest, I ask unanimous consent to include in the Record a synoptic tabulation of the trend of net budget receipts and expenditures in the current fiscal year 1963 with comparisons to the official budget estimates for the fiscal year 1963 and to corresponding actual data for the previous fiscal year 1962.

THE SPEAKER:⁽¹¹⁾ Without objection, it is so ordered.

There was no objection.

Following the insertion of the above-mentioned summary, Mr. Cannon made this request:

Mr. Speaker, I ask unanimous consent that we may have leave to insert a similar type of statement each month of the session.

THE SPEAKER: Is there objection to the request of the gentleman from Missouri?

There was no objection.

Previously Appropriated Revenues

§ 31.6 The Committee on Appropriations, under the

10. 109 CONG. REC. 3943, 3944, 88th Cong. 1st Sess.

11. John W. McCormack (Mass.).

rules, does not have jurisdiction over a proposition amending section 305 of the Higher Education Facilities Act of 1963 to make the revolving loan fund therein, which consists of funds already appropriated for one purpose, available for a new purpose.

On Oct. 27, 1971,⁽¹²⁾ pursuant to a special rule (H. Res. 661), the House resolved itself into the Committee of the Whole for the consideration of a bill (H.R. 7248), to amend and extend the Higher Education Act of 1965 and other acts dealing with higher education.⁽¹³⁾

House Resolution 661 provided, among other things, that an amendment in the nature of a substitute recommended by the Committee on Education and Labor would be treated as an original bill, and all points of order against the amendment for failure to comply with the provisions of Rule XVI clause 7,⁽¹⁴⁾ and

Rule XXI clause 4,⁽¹⁵⁾ would be waived. The resolution further provided that:

. . . [A]ll titles, parts, or sections of the said substitute, the subject matter of which is properly within the jurisdiction of any other standing committee of the House of Representatives, shall be subject to a point of order for such reason if such point of order is properly raised during the consideration of H.R. 7248.

After considerable discussion the Committee rose,⁽¹⁶⁾ and Chairman James C. Wright, Jr., of Texas, reported to Speaker Carl Albert, of Oklahoma, that the Committee had come to no resolution on the bill. The next day, however, on Oct. 28, 1971,⁽¹⁷⁾ the

and insert; and no motion or proposition on a subject different from that under consideration shall be admitted under color of amendment."

12. 117 CONG. REC. 37769, 92d Cong. 1st Sess.

13. *Id.* at p. 37765.

14. This clause read [see Rule XVI clause 7, *House Rules and Manual* §§793 794 (1973)] as follows: "A motion to strike out and insert is indivisible, but a motion to strike out being lost shall neither preclude amendment nor motion to strike out

15. This clause [see Rule XXI clause 4, *House Rules and Manual* §846 (1973)] provided: "No bill or joint resolution carrying appropriations shall be reported by any committee not having jurisdiction to report appropriations, nor shall an amendment proposing an appropriation be in order during the consideration of a bill or joint resolution reported by a committee not having that jurisdiction. A question of order on an appropriation in any such bill, joint resolution, or amendment thereto may be raised at any time."

16. 117 CONG. REC. 37812, 92d Cong. 1st Sess.

17. 117 CONG. REC. 38036, 92d Cong. 1st Sess.

Committee reconvened, and H.R. 7248 was considered again.

In the course of that further consideration, a point of order was raised⁽¹⁸⁾ with respect to section 712 of the amendment in the nature of a substitute. Section 712 amended existing law so as to enable a revolving loan fund to be utilized to provide loan insurance. As the following exchange reveals, this was thought by Mr. Frank T. Bow, of Ohio, to infringe upon the jurisdiction of the Committee on Appropriations:

MR. BOW: Mr. Chairman, I make a point of order against lines 5 through 19 on page 173 on the ground that it constitutes an appropriation of the revenue of the support of the Government which falls within the jurisdiction of the Committee on Appropriations under the provisions of rule 11, clause 2.⁽¹⁹⁾

Now, under the rule, if adopted, there is a waiver of appropriations under clause 4 of rule 21 and clause 7 of rule 16. However, under the rule to which I refer, which gives the Committee on Appropriations the jurisdiction to appropriate revenue for the support of the Government, it is not waived and the rule under which we are now working provides that "all ti-

ties, parts, or sections of the said substitute, the subject matter of which is properly within the jurisdiction of any other standing committee of the House of Representatives, shall be subject to a point of order for such reason if such point of order is properly raised during the consideration of H.R. 7248."

This is not a transfer of funds. This is the incorporation of a revolving fund into an insurance fund. This is properly within the jurisdiction of the Appropriations Committee.

Under the rule under which we are operating, although they have waived some of the rules on appropriations, there was no waiver of rule XI, clause 2.

Therefore, Mr. Chairman, I insist upon my point of order providing for the jurisdiction of the Appropriations Committee.

THE CHAIRMAN: Does any other Member desire to be heard on the point of order?

If not, the Chair is prepared to rule.

It is quite true as the gentleman from Ohio points out that the rule under which this bill is being considered expressly makes in order any point of order against any title, part, or section of the committee substitute which falls properly within the jurisdiction of any other standing committee of the House of Representatives.

The Chair has referred to rule XI(2) (a) to which the gentleman from Ohio makes reference and in which jurisdiction over certain matters is given to the Committee on Appropriations.

Subparagraph (a) the Chair observes that the Committee on Appropriations is to be given jurisdiction over the appropriation of the revenues for the sup-

18. *Id.* at p. 38077.

19. The jurisdiction of the Committee on Appropriations [see Rule XI clause 2, *House Rules and Manual* §679 (1973)] extends to all matters relating to the appropriation of revenue for the support of the government.

port of the Government. It appears to the Chair that the language in the section under dispute, section 712, refers not to an appropriation of revenues, but to a use of revenues which already have been appropriated and that the reappropriation of these revenues would not fall within the exclusive jurisdiction of the Committee on Appropriations. For those reasons, the Chair is constrained to overrule the point of order.

The point of order is overruled.

***Public Buildings Act Project;
Prospectus Approval***

§ 31.7 A communication from the Chairman of the Committee on Public Works, advising of the approval of a prospectus for a project under the Public Buildings Act of 1959, is laid before the House and referred to the Committee on Appropriations.

On Apr. 19, 1961,⁽²⁰⁾ Speaker Sam Rayburn, of Texas, laid before the House the following communication from Charles A. Buckley, of New York, Chairman of the Committee on Public Works:

MY DEAR MR. SPEAKER: Pursuant to the provisions of section 7(a) of the Public Buildings Act of 1959, the Committee on Public Works of the House of Representatives approved on April 18,

20. 107 CONG. REC. 6284, 87th Cong. 1st Sess.

1961, a prospectus for the following public building project which was transmitted to this committee from the General Services Administration: Macon, Ga., Post Office and Federal Office Building.

This message was then referred to the Committee on Appropriations.⁽²¹⁾

***Special Appropriation Bills
Containing Legislative Provisions***

§ 31.8 The Committee on Appropriations has jurisdiction over a bill providing "special" appropriations even if it contains legislative provisions, and no point of order lies against such legislative provisions under Rule XXI clause 2, as the restrictions contained therein apply only to general appropriation bills.

On June 16, 1939,⁽¹⁾ the House resolved itself into the Committee of the Whole for the further consideration of a joint resolution (H.J. Res. 326), making appropriations for work relief, relief, and to

21. Communications under the Public Buildings Act are customarily referred in this manner, pursuant to the law. For a similar instance, see 106 CONG. REC. 4223, 86th Cong. 2d Sess., Mar. 2, 1960.

1. 84 CONG. REC. 7282, 76th Cong. 1st Sess.

increase employment by providing loans and grants for public works projects for the fiscal year ending June 30, 1940. The measure had been reported to the House by the Committee on Appropriations⁽²⁾ and had been made in order by unanimous consent.⁽³⁾

Among the many sections of the measure, in addition to the specific language appropriating funds from the Treasury, were the following:⁽⁴⁾

Sec. 29. (a) It shall be unlawful for any person knowingly to solicit, or knowingly be in any manner concerned in soliciting, any assessment, subscription, or contribution for the campaign expenses of any individual or political party from any person entitled to or receiving compensation or employment provided for by this title.

(b) Any person who knowingly violates any provision of this section shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than 1 year, or both. The provisions of this section shall be in addition to, not in substitution for, any other section of existing law, or of this title.

Sec. 30. (a) It shall be unlawful for any person, directly or indirectly, to promise any employment, position, work, compensation, or other benefit,

provided for or made possible by this title, or any other act of the Congress, to any person as consideration, favor, or reward for any political activity or for the support of or opposition to any candidate or any political party in any election.

(b) Except as may be required by the provisions of subsection (b) of section 31 hereof, it shall be unlawful for any person to deprive, attempt to deprive, or threaten to deprive, by any means, any person of any employment, position, work, compensation, or other benefit, provided for or made possible by this title, on account of race, creed, color, or any political activity, support of, or opposition to any candidate or any political party in any election.

(c) Any person who knowingly violates any provision of this section shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than 1 year, or both. The provisions of this section shall be in addition to, not in substitution for, any other sections of existing law, or of this title.

Sec. 31. (a) It shall be unlawful for any person employed in any administrative or supervisory capacity by any agency of the Federal Government, whose compensation or any part thereof is paid from funds authorized or appropriated by this title, to use his official authority or influence for the purpose of interfering with an election or affecting the results thereof. While such persons shall retain the right to vote as they please and to express privately their opinions on all political subjects, they shall take no active part, directly or indirectly, in political management or in political campaigns or in political conventions.

2. 84 CONG. REC. 7198, 76th Cong. 1st Sess., June 14, 1939.

3. 84 CONG. REC. 7018, 76th Cong. 1st Sess., June 12, 1939.

4. 84 CONG. REC. 7345, 76th Cong. 1st Sess., June 16, 1939.

(b) Any person violating the provisions of this section shall be immediately removed from the position or office held by him, and thereafter no part of the funds appropriated by this title shall be used to pay the compensation of such person. The provisions of this section shall be in addition to, not in substitution for, any other sections of existing law, or of this title.

In the course of the bill's consideration, Chairman of the Committee of the Whole, John W. McCormack, of Massachusetts, recognized Mr. Claude V. Parsons, of Illinois, who initiated the following exchange with respect to the aforementioned sections: ⁽⁵⁾

Mr. Chairman, I rise to make the point of order against sections 29, 30, and 31, on page 27, on the ground that this is an appropriation bill, and the sections mentioned are legislation on an appropriation bill. Also, I make the point of order that in addition to its being legislation on an appropriation bill contrary to existing law, the language seeks to enact penalties involving far-reaching consequences to practically everyone outside of the W. P. A. appropriation bill. This point was brought up 1 year ago when something like the same language was used in this bill, and the language was ruled out on a point of order. ⁽⁶⁾

5. 84 CONG. REC. 7365, 76th Cong. 1st Sess.

6. Rule XXI clause 2, provided then, as in 1973, that "No appropriations shall be reported in any general appropriation bill, or be in order as an

THE CHAIRMAN: The Chair is prepared to rule. On May 21, 1937, in connection with the W. P. A. relief bill, which was under consideration at the time, the Chairman, Mr. O'Connor, ruled on the identical question which the gentleman from Illinois has raised and on that occasion the Chairman said:

The bill in question is not a general appropriation bill and, therefore, clause 2 of rule XXI does not apply.

Following that precedent, the Chair overrules the point of order.

MR. PARSONS: But, Mr. Chairman, the Chair does not take into consideration the point I raised that the language seeks to impose penalties involving every person outside of the W. P. A.

THE CHAIRMAN: The ruling which the Chair has just quoted applies also to the point of order raised by the gentleman on the matter of penalties.

Shortly after this exchange, another point of order was raised by Mr. Jack Nichols, of Oklahoma, who stated: ⁽⁷⁾

amendment thereto, for any expenditure not previously authorized by law, unless in continuation of appropriations for such public works and objects as are already in progress. Nor shall any provision in any such bill or amendment thereto changing existing law be in order, except such as being germane to the subject matter of the bill shall retrench expenditures. . . ." [H. Jour. 1122, 76th Cong. 1st Sess. (1939); Rule XXI clause 2, *House Rules and Manual* §834 (1973)].

7. 84 CONG. REC. 7366, 76th Cong. 1st Sess.

I make a point of order, Mr. Chairman, against section 30 of the bill and direct the attention of the Chair to that language in section 30 of the bill, in line 23, which reads, "or any other act of the Congress"; for the reason that it is legislation on an appropriation bill and it goes far beyond the purview of the instant bill under consideration and is not germane to this bill.

As Mr. Nichols elaborated under the Chair's questioning:

Of course, I thoroughly understood the ruling of the Chair on the point of order raised by the gentleman from Illinois. I want to read, for the benefit of the Chair . . . section 30:

It shall be unlawful for any person, directly or indirectly, to promise any employment, position, work, compensation, or other benefit provided for or made possible by this title—

Up to that point I quite agree with the ruling of the Chair—

or any other act of the Congress—

Which is the part of the section to which I direct my point of order.

Now, this bill is brought to the floor of the House by the Committee on Appropriations. While I have been a Member of this body only a limited number of years and while I have no disposition to argue with the ruling of the Chair, if my feeble conception of the rules of the House has taught me anything it has taught me that legislation in an appropriation bill can only place a limitation on the appropriation.

At this juncture, Mr. Clifton A. Woodrum, of Virginia, contended that:

The gentleman has an improper premise. This is not an appropriation bill. It is a general legislative bill.

Mr. Nichols took exception to that position after which Mr. Herman P. Eberharter, of Pennsylvania, obtained the floor and stated:

I just want to call the attention of the Chair to the title of the bill, which reads:

Joint resolution making appropriations for work relief, relief, and to increase employment by providing loans and grants for public-works projects, for the fiscal year ending June 30, 1940.

The title of the bill says nothing whatever about regulation or legislation in any respect whatsoever, and is nothing except an appropriation bill under its title.

The Chair then announced he was ready to rule and rendered the following decision:

The Chair will state that the title of a bill is merely for the purpose of identification. The position taken by the gentleman from Oklahoma, as well as that taken by the gentleman from Illinois, would have been correct, in the opinion of the Chair, if applied to a general appropriation bill; but in the opinion of the Chair there is a clear distinction between a general appropriation bill and the joint resolution pending before the Committee today, which is a combination of appropriation and legislation.

When this bill was introduced on June 13 it was referred by the Speaker to the Committee on Appropriations and reported by the Committee on Appropriations and is being considered now as the result of a unanimous-consent agreement.

This bill not being a general appropriation bill, but being legislative in character, the Chair is constrained to rule that the point of order of the gentleman from Oklahoma is not well taken.

For the reasons stated the point of order is overruled.⁽⁸⁾

Watershed Protection and Flood Prevention Act Plans

§ 31.9 A communication from the Chairman of the Committee on Agriculture, advising of the approval of plans under the Watershed Protection and Flood Prevention Act, was laid before the House and referred to the Committee on Appropriations.

On May 21, 1959,⁽⁹⁾ Speaker Sam Rayburn, of Texas, placed before the House the following communication from Harold D. Cooley, of North Carolina, Chairman of the Committee on Agriculture:

DEAR MR. SPEAKER: Pursuant to the provisions of section 2 of the Watershed Protection and Flood Prevention Act, as amended, the Committee on Agriculture has today considered the work plans transmitted to you by Exec-

utive Communication 921 and referred to this committee and unanimously approved each of such plans. The work plans involved are:

STATE AND WATERSHED

Alabama: Little Paint Creek.

Iowa: Big Park.

Tennessee: Jennings Creek.

Utah: American Fork-Dry Creek.

The message was then referred to the Committee on Appropriations.⁽¹⁰⁾

Parliamentarian's Note: The Speaker refers to the Committee on Appropriations communications from the Chairmen of the Committees on Agriculture and Public Works, respectively, advising the Speaker of approval of plans under the provisions of the Watershed Protection and Flood Prevention Act [16 USC §1002] which prohibit appropriations from being made prior to such approval.

§ 31.10 A communication from the Chairman of the Committee on Public Works, advising of the approval of plans under the Watershed Protection and Flood Prevention Act, was laid before the House by the Speaker and referred to the Committee on Appropriations.

8. General and special appropriation bills are distinguished in Chs. 25 and 26, *infra*.

9. 105 CONG. REC. 8808, 86th Cong. 1st Sess.

10. For a similar instance, see 105 CONG. REC. 3042, 3043, 86th Cong. 1st Sess., Feb. 26, 1959.

On June 8, 1959,⁽¹¹⁾ Speaker Sam Rayburn, of Texas, laid before the House the following communication from Charles A. Buckley, of New York, Chairman of the Committee on Public Works:

DEAR MR. SPEAKER: Pursuant to the provisions of section 2 of the Watershed Protection and Flood Prevention Act, as amended, the Committee on Public Works has approved the work plans transmitted to you which were referred to this committee. [The work plans were here set forth.]

This information, in its entirety, was then referred to the Committee on Appropriations.⁽¹²⁾

§ 32. Committee on Armed Services

Established Jan. 2, 1947, as a result of the Legislative Reorganization Act of 1946,⁽¹³⁾ the Committee on Armed Services combined the Committees on Military Affairs and on Naval Affairs. The latter committees had been created in 1822⁽¹⁴⁾ and between 1885 and 1920 these committees had jurisdiction of military and naval

appropriations. In 1953, the clause specifying the committee's responsibilities was changed in order to reflect the committee's jurisdiction over the then newly created Department of Defense which had been established by the National Security Act.⁽¹⁵⁾

The jurisdiction of the Committee on Armed Services pursuant to the 1973 rules⁽¹⁶⁾ read as follows:

- (a) Common defense generally.
- (b) The Department of Defense generally, including the Departments of the Army, Navy, and Air Force generally.
- (c) Ammunition depots; forts; arsenals; Army, Navy, and Air Force reservations and establishments.
- (d) Conservation, development, and use of naval petroleum and oil shale reserves.
- (e) Pay, promotion, retirement, and other benefits and privileges of members of the armed forces.
- (f) Scientific research and development in support of the armed services.
- (g) Selective service.
- (b) Size and composition of the Army, Navy, and Air Force.
- (i) Soldiers' and sailors' homes.
- (j) Strategic and critical materials necessary for the common defense.

As the precedents reveal, the jurisdiction of the committee and its

11. 105 CONG. REC. 10164, 86th Cong. 1st Sess.

12. For a similar instance, see 105 CONG. REC. 3784, 86th Cong. 1st Sess., Mar. 10, 1959.

13. 60 Stat. 812.

14. 4 Hinds' Precedents §§ 4179, 4189.

15. 61 Stat. 495.

16. Rule XI clause 3, *House Rules and Manual* § 681 (1973). See also Rule X clause 1 § (c), *House Rules and Manual* § 672 (1979).